
ENGROSSED HOUSE BILL 1367

State of Washington

63rd Legislature

2014 Regular Session

By Representatives Kirby, Jenkins, Crouse, Green, Fey, Sawyer, Kochmar, Fitzgibbon, and Pollet

Read first time 01/24/13. Referred to Committee on Local Government.

1 AN ACT Relating to assessments for nuisance abatement in cities and
2 towns; adding a new section to chapter 35.21 RCW; and adding a new
3 section to chapter 35A.21 RCW.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 35.21 RCW
6 to read as follows:

7 (1) A city or town that exercises its authority under chapter 7.48
8 RCW, RCW 35.22.280, 35.23.440, or 35.27.410, or other applicable law to
9 abate a nuisance must provide prior notice to the property owner that
10 abatement is pending and a special assessment may be levied on the
11 property for the expense of abatement. The notice must be sent by
12 regular mail.

13 (2) A city or town that exercises its authority under chapter 7.48
14 RCW, RCW 35.22.280, 35.23.440, or 35.27.410, or other applicable law to
15 declare a nuisance, abate a nuisance, or impose fines or costs upon
16 persons who create, continue, or maintain a nuisance may levy a special
17 assessment on the land or premises where the nuisance is situated to
18 reimburse the city or town for the expense of abatement. A city or
19 town must, before levying a special assessment, notify the property

1 owner and any identifiable mortgage holder that a special assessment
2 will be levied on the property and the amount of the special
3 assessment. The notice must be sent by regular mail.

4 (3) The special assessment authorized by this section constitutes
5 a lien against the property and is of equal rank with state, county,
6 and municipal taxes.

7 NEW SECTION. **Sec. 2.** A new section is added to chapter 35A.21 RCW
8 to read as follows:

9 (1) A city that exercises its authority under chapter 7.48 RCW or
10 other applicable law to abate a nuisance must provide prior notice to
11 the property owner that abatement is pending and a special assessment
12 may be levied on the property for the expense of abatement. The notice
13 must be sent by regular mail.

14 (2) A city that exercises its authority under chapter 7.48 RCW or
15 other applicable law to declare a nuisance, abate a nuisance, or impose
16 fines or costs upon persons who create, continue, or maintain a
17 nuisance may levy a special assessment on the land or premises where
18 the nuisance is situated to reimburse the city for the expense of
19 abatement. A city must, before levying a special assessment, notify
20 the property owner and any identifiable mortgage holder that a special
21 assessment will be levied on the property and the amount of the special
22 assessment. The notice must be sent by regular mail.

23 (3) The special assessment authorized by this section constitutes
24 a lien against the property and is of equal rank with state, county,
25 and municipal taxes.

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